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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

606809-1407

In re Application of: Kanu G. Shah, et al.

Application No.: 09/644,634

Filed: August 23, 2000

For: INSULATOR AND SEAL FOR FUEL CELL ASSEMBLIES

The owner*, Dana Corporation, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/708,965, filed on November 8, 2000, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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9-3-03
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Jennifer M. Brumbaugh

Typed or printed name

(248) 594-0600

Telephone Number

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I hereby certify that this correspondence is being deposited with the U.S. Patent Office, via facsimile to Art Unit 1711, Attention: Examiner M.D. Bissett at (703) 872-9311, on the date shown below.

Dated: Sept 3, 2003Signature: 

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